

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DAVID WEATHERSPOON,

PLAINTIFF

V.

NO. 4:08CV003-P-D

JOHN D. FERGUSON, et al.,

DEFENDANTS

FINAL JUDGMENT

In accordance with the opinion issued this day, the instant cause is **DISMISSED** with prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). Plaintiff has also earned one strike under the three strikes provision of 28 U.S.C. § 1915(g).

IT IS SO ORDERED.

THIS the 11th day of February, 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE